

JFb  
001/004

**RECEIVED**  
**CENTRAL FAX CENTER**

**FULBRIGHT & JAWORSKI L.L.P.**  
A REGISTERED LIMITED LIABILITY PARTNERSHIP  
600 CONGRESS AVENUE, SUITE 2400  
AUSTIN, TEXAS 78701

TELEPHONE: 512/474-5201

FACSIMILE: 512/536-4598

**RECEIVED**

MAY 16 2008

**FACSIMILE TRANSMISSION FROM: 512.536.4598**  
If any difficulties occur during transmission, **512.474.5201**

**OFFICE OF PETITIONS**

**DATE:** May 16, 2008 **FILE:** BEER:002US/10718062

**TO:** Commissioner for Patents

**COMPANY:** United States Patent and Trademark Office

**FAX NO.:** 571-273-8300

**SENDER'S**

**FROM:** Travis M Wohlers

**PHONE:** (512) 536-5654

**RETURN**  
**ORIGINAL TO:** Christopher Jackson

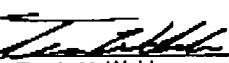
**FLOOR:** 20th

**NO. OF PAGES TOTAL:** 7

**ORIGINAL: WILL NOT FOLLOW**

**COMMENTS:**

**SERIAL NO.:** 10/527,017

CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. § 1.8	
<p>I hereby certify that this correspondence is being transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: Examiner Michael V. Meller, GAU 1655, facsimile number (571) 273-8300 on the date below:</p>	
May 16, 2008	
Date	Travis M. Wohlers

**CONFIDENTIALITY NOTICE:** Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone and return the original message to Fulbright & Jaworski L.L.P. at the above address via the U.S. Postal Service at our expense.

25464838.1

USPTO  
ACCOUNTING RECEIVED  
DIVISION CENTRAL FAX CENTER

2008 MAY 20 PM 4:06 MAY 16 2008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Andreas KUBIN and  
Hans GUNTER LOEW

Serial No.: 10/527,016

Filed: March 7, 2005

For: PREPARATION OF HYPERICIN  
BONDED WITH POLY-N-  
VINYLMAMIDES (as amended)

Group Art Unit: 1655

Examiner: Meller, Michael V.

Atty. Dkt. No.: BEER:002US

Confirmation No.: 1126

RECEIVED

MAY 23 2008

OFFICE OF PETITIONS

CERTIFICATE OF FACSIMILE TRANSMISSION  
37 C.F.R. § 1.8

I hereby certify that this correspondence is being transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: Examiner Michael V. Meller, GAU 1655, facsimile number (571) 273-8300 on the date below:

May 16, 2008

Date

  
Travis M. Wohlers

05/21/2008 DALLEN 00000020 501212 10527016  
01 FC:1461 1410.00 DA

**NOTIFICATION OF CHANGE OF ENTITY STATUS FROM SMALL  
TO LARGE ENTITY PURSUANT TO 37 CFR § 1.27(g)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-01450

Sir:

Applicants hereby request a change of status from small entity to large entity for the above-identified application.

Applicants' inadvertently filed missing parts and fees as a small entity instead of a large entity. Large entity should have been claimed.

While reviewing the fees paid in this case, Applicants' representative noted that Applicants paid a small entity fee of \$750.00 for the Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)

70307413.1

MAY 16 2008

on March 7, 2005, \$200.00 search fee; \$100.00 examination fee; \$65.00 surcharge for late filing fee; \$130.00 English Translation surcharge; \$75.00 for additional claim fees on December 21, 2005 and \$60.00 for a one-month extension of time fee on June 22, 2007, when non-small entity fees should have been paid. The payments were made in error and without any deceptive intent.

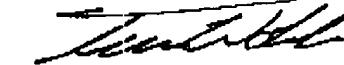
Therefore, pursuant to 37 C.F.R. § 1.28(c)(2)(i), Applicants hereby request that the fees in the amount of \$1,410.00, which Applicants believe is the total amount of deficiency owed for the previous fees itemized below be deducted from Fulbright & Jaworski Deposit Account No. 50-i212/BEER:002US/10718062:

Type of Fee	Date Submitted	Amount Paid/ Time of Filing (small entity)	Amount Due/ Current Date (large entity)	Amount of Deficiency Submitted Herewith
Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)	March 7, 2005	\$750.00	\$1540.00	\$790.00
Search fee, examination fee, surcharge for late filing fee and additional claim fees	12/21/05	\$200.00 \$100.00 \$65.00 \$75.00	\$510.00 \$210.00 \$130.00 \$150.00	\$310.00 \$110.00 \$65.00 \$75.00
One Month Extension of Time	06/22/07	\$60.00	\$120.00	\$60.00
<b>TOTALS</b>		<b>\$1250.00</b>	<b>\$2,660.00</b>	<b>\$1,410.00</b>

In view of the above, Applicants' representative respectfully submits that the requirements of 37 CFR § 1.28 have been met and requests designation of this case as a non-small entity and acceptance of the fees submitted herewith.

Should any additional fees be required under 37 C.F.R. §§ 1.16 to 1.21 for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski Deposit Account No. 50-1212/BEER:002US/10718062.

Respectfully submitted,



Travis M. Wohlers  
Reg. No. 57,423  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
512.536.5654

Date: May 16, 2008